THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 18767 OF 2007

Date: 17.09.2007

Between:

M/s. Sagar Constructions, Hyderguda, Hyderabad.

… Petitioner

and

The Addl. Commissioner (CT), Nampally, Hyderabad and three others.

… Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 18767 OF 2007

ORDER: (per Hon'ble Sri Justice Bilal Nazki)

Heard learned counsel for the parties. With their consent, the writ petition is being disposed of at this stage.

Appeal is pending against an order of assessment and the said application has already been heard by the 1st respondent, but orders have not been passed. In the meantime, a garnishee notice has been issued. After hearing the learned counsel for the parties, we feel that the interests of justice would be met if the garnishee notice is quashed subject to deposit of half of the disputed tax liability.

Therefore, we set aside the impugned garnishee notice and direct that half of the disputed tax liability shall be paid by the petitioner within a period of six weeks from today. For six weeks, there shall be an unconditional stay and stay shall continue till disposal of appeal, provided the amount is deposited within the stipulated time. The deposit of amount shall be without prejudice to the rights of the petitioner in appeal. If any amount has already been paid by the petitioner, the same shall be given credit.

Writ petition is disposed of accordingly. No costs.

BILAL NAZKI, J

17-9-2007

RAMESH RANGANATHAN, J

N.B:
Order by wire at party's cost.

(b/o)
MRKR